

On April 7, 1943, the case came on for trial before the court and a jury. The trial was concluded on April 8, 1943, and the jury returned a verdict of guilty. The court imposed a sentence of 1 year in the custody of the Attorney General, but suspended the sentence and placed the defendant on probation for 5 years.

**932. Misbranding of "SNL." U. S. v. Mrs. Cora Lee Wiley (The SNL Co.) Plea of nolo contendere. Defendant placed on probation for 5 years. (F. D. C. No. 7247. Sample Nos. 944-E, 37930-E, 48065-E, 69586-E.)**

The labeling of this product contained false and misleading therapeutic claims and did not bear an accurate statement of the quantity of the contents in terms of measure, or a statement of the quantity or proportion of the alcohol in the product.

On June 5, 1942, the United States attorney for the Middle District of Georgia filed an information against Mrs. Cora Lee Wiley, trading as the SNL Co., Adel, Ga., alleging shipment on or about May 27 and July 19, 1941, from the State of Georgia into the States of Florida and New Jersey of quantities of "SNL" which was misbranded. Portions of the article were labeled in part: (Bottle) "SNL (Suffer No Longer)."

Analysis of samples of this drug showed that it consisted essentially of iodine, boric acid, organic silver compound, iodide, sulfate, a small amount of magnesium compound, alcohol, glycerine, and water.

The drug was alleged to be misbranded in that it was in package form and its label failed to bear an accurate statement of the quantity of the contents in terms of measure; and in that it was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients and its label failed to bear a statement of the quantity or proportion of alcohol contained in the drug.

One shipment of the article was alleged to be misbranded further in that certain statements appearing in the labeling which represented and suggested that the article would end suffering; that it would be an effective relief for female trouble, soreness in the abdomen, and aching hips; that, when used with the positions described in the statements, it would aid in replacing the female organs and would relieve strained sore muscles, and that it would be effective as a dressing for the tenderest old sores and such were false and misleading since it would not be efficacious for such purposes.

The remaining shipments were alleged to be misbranded further in that certain representations in the labeling that the article would end suffering; that it was an effective relief for female trouble, soreness in the abdomen and aching hips; that it would prevent the aging process in the individual; that it would be effective in the treatment of infected female organs, nervousness, muddy, sallow complexions, aching head, hips, limbs, and other aches and pains; that it would be effective in the cure, mitigation, treatment, or prevention of a weakened condition due to female trouble; that it would protect women against every germ including tuberculosis, and would enable the user to overcome despondency, worry, poverty, half-aliveness, apathy, lethargy, resignation, and hopelessness; that it would enable the user to build health, happiness, strength, beauty, and to increase the length of life; that it would penetrate sore, congested organs at once; would relieve discharge or painful menses; that it would condition the female organs while in change of life; and that when used with the positions described in the labeling, it would relieve bearing-down pains, sore muscles, and would replace fallen wombs; and in that certain additional representations in the labeling of two of such shipments that the drug would aid in replacing the female organs and would relieve strained, sore muscles and that it would be effective as a dressing for the tenderest old sores and such were false and misleading since the drug would not be efficacious for such purposes.

On March 16, 1943, the defendant having entered a plea of nolo contendere, the court placed the defendant on probation for 5 years, conditioned that she should not deal in the above-named drug except with the consent of the Food and Drug Administration.

**933. Misbranding of coconut milk and powdered milk of soya bean. U. S. v. John Bruno Radcliffe (Radcliffe Soya Products). Plea of guilty. Defendant placed on probation. (F. D. C. No. 7260. Sample Nos. 13603-E, 13800-E, 21643-E, 21644-E, 63220-E.)**

On August 11, 1942, the United States attorney for the Northern District of California filed an information against John Bruno Radcliffe, trading as Radcliffe Soya Products, San Francisco, Calif., alleging shipment within the period from

on or about February 8, 1940, to November 24, 1941, from the State of California into the States of Idaho and Washington of a quantity of drug which was misbranded. The articles were labeled in part: (Cans) "Radcliffe's Original Powdered Milk of Soya Bean," or "Tropical Coconut Milk."

The powdered milk of soya bean was alleged to be misbranded in that the statements appearing in its labeling which represented and suggested that it was endorsed by the U. S. Department of Agriculture, Washington, D. C.; that it was original powdered milk of soya bean, was especially valuable for infant feeding, and was as good as or better than mother's milk; that it was rich in vitamins; that it was a nerve, brain, and gland rejuvenator, and would be efficacious in the cure, mitigation, treatment or prevention of diabetes were false and misleading since the article was not endorsed by the U. S. Department of Agriculture, Washington, D. C.; it was not original powdered milk of soya bean; it was not especially valuable for infant feeding; it was not as good as or better than mother's milk, and was not rich in vitamins; it was not a nerve, brain, or gland rejuvenator, and would not be efficacious in the cure, mitigation, treatment, or prevention of diabetes.

The coconut milk was alleged to be misbranded in that the statements appearing in its labeling, which represented and suggested that it was a tropical coconut milk; that it would provide energy, strength, and vitality to the user; that it was efficacious for health building, and would be efficacious in the cure, mitigation, treatment, or prevention of colitis, underweight, weak stomach, stomach ulcers, nerve exhaustion and sleeplessness, and in the treatment of convalescents; and that it was rich in vitamins and minerals were false and misleading since the article was not a tropical coconut milk and would not provide energy, strength, or vitality to the user; it was not efficacious for health building, and would not be efficacious in the cure, mitigation, treatment, or prevention of colitis, or underweight, or weak stomach, stomach ulcers, nerve exhaustion or sleeplessness, nor in the treatment of convalescents; and it was not rich in vitamins or minerals.

The articles were also alleged to be misbranded under the provisions of law applicable to foods as reported in the notices of judgment on foods.

On November 3, 1942, the defendant having entered a plea of guilty, the court placed him on probation for 2 years.

**934. Misbranding of Cruetz Herb Douche and Cruetz No. 9 and No. 10 Herb Tea. U. S. v. William H. Cruetz, Sr. (St. Clair Herb Co.). Plea of guilty. Sentence suspended and defendant placed on probation for 5 years. (F. D. C. No. 7314. Sample Nos. 1968-F, 7061-F to 7063-F, incl.)**

The labeling of these products contained false and misleading therapeutic claims.

On April 24, 1943, the United States Attorney for the Eastern District of Illinois filed an information against William H. Cruetz, Sr., a partner in the firm of St. Clair Herb Co., East St. Louis, Ill., alleging shipment on or about October 17, 19, and 24, 1942, from the State of Illinois into the States of Indiana and Missouri of quantities of the above-named drugs which were misbranded.

Analysis of the Cruetz No. 10 Herb Tea showed that it consisted essentially of small proportions of extracts of plant drugs, salicylic acid, and water. It was alleged to be misbranded in that the statements, "Remedies that Build Health \* \* \* Blood, Kidneys, Bladder, Rheumatism and Female Disorders," appearing in its labeling, represented and suggested that it would be efficacious to build health; that it would be efficacious in the cure, mitigation, treatment, or prevention of disorders and diseases of the blood, kidneys, and bladder, and of rheumatism and female disorders, and were false and misleading since it would not be efficacious for such purposes.

Analysis of the Cruetz Herb Douche showed that it consisted essentially of a small proportion of ferric sulfate and smaller proportions of compounds of magnesium and calcium, and plant extractives and water. It was alleged to be misbranded in that the statements "Remedies that Build Health \* \* \* Recommended in the Relief of Infections and Growths of the Female Organs," appearing in its labeling, represented and suggested that it would be efficacious to build health, and would be efficacious in the cure, mitigation, treatment, or prevention of infections and growths of the female organs, and were false and misleading since it would not be efficacious for such purposes.

Analysis of Cruetz No. 9 Herb Tea showed that it consisted essentially of small proportions of extracts of plant drugs, salicylic acid, and water. It was alleged to be misbranded in that the statements "Remedies that Build Health \* \* \*